

REMARKS

Summary of the Office Action

Claims 1-3 are considered in the Office Action.

Claim 1 has been objected to because of an informality. In particular, claim 1, line 6 recites “a clock signal,” instead of “the clock signal.”

Claims 1-3 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Butaud et al U.S. Patent No. 6,737,904 (“Butaud”).

Claims 1-3 have been rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 9 and 13 of U.S. Patent No. 6,643,317.

Reply to § 102(e) Rejection

Applicant has amended claim 1 and added new claim 4 to more particularly claim the invention. In particular, independent claims 1 and 4 recite apparatus and methods that receive a clock signal, generate a delayed clock signal based on the clock signal, provide a multiplexer having a first input adapted to receive the clock signal, a second input adapted to receive the delayed clock signal, and a third input used to selectively couple the first and second inputs to a multiplexer output, and provide a state machine having an output coupled to the third input of the multiplexer, the state machine adapted to cause the multiplexer to sequentially couple the first and second inputs to the multiplexer output. Butaud does not describe or suggest the claimed invention.

Instead, Butaud describes systems and methods that switch between first and second clock signals at randomly selected time intervals. In particular, Butaud switches between the first and second clock signals based on the output of a pseudo random number generator 24. Such a system is more complicated, and requires more circuitry, than that of the claimed invention. Because Butaud does not describe or suggest the claimed invention, applicant respectfully requests that the Examiner withdraw the § 102(e) rejection of claim 1.


Reply to the Obviousness-Type Double Patenting Rejections

Applicant submits herewith a Terminal Disclaimer disclaiming the terminal part of any patent that issues on the present application that extends beyond the expiration date of U.S. Patent No. 6,643,317. Applicant submits that the accompanying Terminal Disclaimer obviates the obviousness-type double patenting rejections.

Conclusion

For the reasons stated above, applicant submits that this application, including claims 1 and 4, is allowable. Applicant therefore respectfully requests that the Examiner allow this application.

Respectfully submitted,



James Trosino
Registration No. 39,862
Attorney for Applicant